

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>DOMINION DEVELOPMENT</b>	:	
<b>GROUP, LLC,</b>	:	<b>NO. 3:15-CV-00961-MEM</b>
	:	
<b>Plaintiff,</b>	:	
	:	<b>(The Honorable Malachy E. Mannion)</b>
<b>v.</b>	:	
	:	
<b>CINDY BEYERLEIN and</b>	:	<b>CIVIL ACTION</b>
<b>BOENNING &amp; SCATTERGOOD,</b>	:	
	:	
<b>Defendants</b>	:	

**MOTION TO WITHDRAW AS COUNSEL FOR PLAINTIFF**

**AND NOW** Plaintiff's counsel, Angelo M. Perrucci, Jr., Esquire and Jeffrey S. Katz, Esquire, move this Court to withdraw from representation of Dominion Development Group, LLC, Plaintiff in the above captioned matter, based upon the following facts:

1. During the ongoing discussions throughout the past several months of discovery, a communication breakdown has occurred between counsel and Plaintiff, to the point that counsel can no longer effectively represent Dominion Development Group, LLC.
2. Larry Masi, President of Dominion Development Group, LLC, advised counsel a couple of weeks ago that they are being replaced. A Substitution of Attorney was signed by Plaintiff and current counsel and forwarded to the new counsel. The new attorney has been attached to trial and has not yet returned the signed Substitution of Attorney. **See Exhibit "A".**
3. Plaintiff then advised current counsel that he wanted a Motion to Withdraw as Counsel filed, and that the entry of appearance (Substitution of Attorney) would be filed by new counsel upon the conclusion of his trial.

4. The substitution of counsel at this time during discovery will have no irreparable impact upon Plaintiff or either Defendant.

5. Plaintiff has asked counsel to pursue avenues contrary to what counsel has continually advised. Those avenues, coupled with other significant problems that are best addressed "in camera", form the basis for this motion.

6. Counsel believes that ethical considerations prohibit them from stating the reasons for said request to be relieved. However, they are willing to share the difficulties had "in camera", so as to preserve and protect Dominion Development Group, LLC and Mr. Masi's attorney-client privilege and in order to guarantee that no negative impact to his underlying case results from given testimony.

7. Counsel for the defendants oppose this motion, and a Certification of Non-Concurrence is attached.

**WHEREFORE**, for the foregoing reasons and for good cause shown, along with those outlined in the *Brief in Support of Motion to Withdraw as Counsel for Plaintiff*, Attorney Angelo M. Perrucci, Jr., and Attorney Jeffrey S. Katz respectfully request that this Court grant the motion of the undersigned attorneys to immediately withdraw as counsel for the Plaintiff, Dominion Development Group, LLC.

RESPECTFULLY SUBMITTED,

ATTORNEYS FOR PLAINTIFF

9/27/2016

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**CERTIFICATION OF SERVICE**

We certify that on this date we caused a true and correct copy of the foregoing *Motion to Withdraw as Counsel for Plaintiff* to be served via the Court's ECF system and via e-mail upon:

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**AND VIA E-MAIL ONLY:** Larry Masi, President  
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*Plaintiff*

September 27, 2016

/S/ Angelo M. Perrucci, Jr., Esquire  
/S/ Jeffrey S. Katz, Esquire